IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO.3075 OF 2005**

Samajwadi Party ..Petitioner

Versus

State of Maharashtara & Ors..Respondents

Mr. Shailesh Shah i/b.Goenka Law Associates for the petitioner
Mr.K.R. Belosey, Government Pleader for Respondent No.1.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE: 7TH NOVEMBER,2006.

P.C.

. Rule. Heard forthwith.

2. It is the case of the petitioners that it is a recognised political party. That they were allotted a plot of land for putting up their office premises. When they went to construct the same they were prevented from doing so. They have made various complaints to the Senior Inspector of Police, Cuffe Parade and other higher dignitaries in the State of Maharashtra. They were unable to put up their office premises.

3. In our democratic system plularity of parties is an essential feature. All political parties should be in a position to function freely and should be allowed to pursue their political objectives as long as they work within the frame work of our

Constitution. When the State has allotted the plot of land to a political party for their office they should be in a position to put up their office without being prevented by another or other political parties. The allegations contained in the letter dated 20th August, 2004 are serious. The grievance of the petitioner is that inspite of these complaints they have not been given police protection.

4. Considering the above, we direct the Director General of Police, Maharashtra, to see to it that the petitioner when they seek protection for putting up their construction are given such protection and any wrong doers opposing the construction of the petitioners are dealt with according to law.

5. The petitioners on obtaining proper license for putting up construction, if in the course of construction any obstruction is caused to immediately bring it to the notice of the Director General of Police and seek police protection and on such request they be given police protection forthwith.

. With the above observation petition disposed of.

. All authorities to act on an authenticated copy of this order.

(**F.I. REBELLO, J)**

(**ANOOP V. MOHTA J).**